

# 2007 Legislative Review

State Representative  
**Kirk Pearson**

39th District

## LEGISLATIVE OFFICE:

416 John L. O'Brien Bldg.  
P.O. Box 40600  
Olympia, WA 98504-0600  
(360) 786-7816

**Toll-free Hotline:** 1-800-562-6000

**E-mail:** [pearson.kirk@leg.wa.gov](mailto:pearson.kirk@leg.wa.gov)

## Website:

<http://houserepublicans.wa.gov/pearson.htm>

## DISTRICT OFFICE:

### Sky Valley Office:

51216 N. Rivershore Rd.  
Index  
(360) 793-0565

### Sedro-Woolley Office:

720 Murdock Street, Suite 101  
Sedro-Woolley  
(360) 856-3588

## Mailing address:

P.O. Box 203  
Index, WA 98256

## COMMITTEES:

Public Safety & Emergency Preparedness  
*Ranking Republican*  
Capital Budget  
Select Committee on Puget Sound



Dear Friends:

*I hope you are enjoying the summer. I'm always happy to return home from the long legislative session to spend time with my family and meet with you, my constituents, around the district. I am truly honored to serve as your representative in Olympia, and welcome this opportunity to send you my report outlin-*

*ing the issues of this year's legislative session.*

*Some of the biggest positive achievements this year were the approval for the voters to create a protected rainy-day account, the passage of the auto theft and gang crime bills and funding vital capital projects around the state. These are big victories for 39th District citizens and families. However, we had a few missed opportunities such as improving public safety and addressing flood prevention.*

*This newsletter is a brief overview of the 2007 session – where we made some good progress and what we need to address next session.*

*As always, I'm interested in your thoughts and comments. If I can be of service, please contact me. It's a pleasure to serve you.*

Sincerely,

A handwritten signature in dark ink that reads "Kirk Pearson". The signature is fluid and cursive, with the first name "Kirk" being more prominent.

Rep. Kirk Pearson • District 39



## Public safety measures: Some success, some missed opportunities

Those of you who know my record know that public safety is one of my highest priorities in Olympia. Last year when three police officers were killed by offenders under Department of Corrections (DOC) supervision in three separate incidents I contacted the Secretary of Corrections Harold Clark in an effort to address his failing community supervision program.

When he failed to work with me on a solution to this critical threat to public safety, I contacted our state's Community Corrections Officers (CCO) directly. This was my effort to find solutions that keep our communities safe. The conversations with CCOs resulted in my bill, House Bill 2393.

## My efforts to improve public safety

My proposal, HB 2393, would have frozen the early release of felons, required the Secretary of Corrections to present a plan to the Legislature outlining how to adequately supervise felons in our communities, and would have required the DOC to develop a performance review every time an offender on community custody is convicted of a new crime. Last, it would have required the DOC to submit a report to the governor and the Legislature annually.



In light of the continued release of felons – 83 last February, including one felon who, upon release, raped a woman and beat her young child – the Legislature, with the governor's blessing, must tackle the short-staffed, over-burdened and leadership-challenged corrections system.

Unfortunately, the bill that passed, SB 6157, doesn't do anything to hold felons or the DOC accountable for greater public safety. The legislation fails to fix the two fundamental flaws

# Representative Kirk Pearson • 39th District

in the DOC: there aren't enough community corrections officers to supervise felons currently out on community supervision and the DOC has confusing and loosely interpreted guidelines for how to handle felons who don't follow the rules of their release.

SB 6157 also doesn't include any expectations that a felon will comply with the terms of his or her release. It basically rolls the dice with public safety.

My bill, HB 2393, would have gone a long way to protecting our state's families but it was sidelined by the majority party in the House.

## Community Corrections Officers need our support

I'm sure many of you read the recent articles on the recommendation by the statewide policy group for Community Corrections Officers (CCO) to take a vote of "no confidence" in Secretary of Corrections Harold Clarke. State leaders and citizens should take this action by CCOs very serious.



Our state's CCOs are the first line of defense when it comes to protecting our communities from offenders out on early release. They need to know that our state's leaders – the governor, the Legislature and the Secretary of Corrections – are enacting policies that keep them safe so they can, ultimately, keep citizens safe.

Working with the CCOs this session, I learned that they are understaffed and overworked. Corrections officers are required to work overtime due to low staffing and are sidled with paperwork and repetitive reports that keep them at their desks instead of out in the community monitoring felons.

On the final day of session I helped introduce House Bill 2415. This legislation was crafted from the advice of CCOs on how they can do their jobs better and what tools they need to work effectively and efficiently.

House Bill 2415 would empower CCOs and help them be more effective in their jobs. It would allow CCOs flexibility to determine sanctions for felons violating the terms of their early release and provide for more com-

munity corrections staff to enhance public safety and rebuild the trust of citizens. I hope this is the first bill passed and signed into law in 2008.

## Auto Theft

Auto theft is a crime that impacts working families far beyond the inconvenience of losing a car. The crime creates undo hardships for many and can hurt working families financially.

I was pleased this year to co-sponsor the Auto Theft Prevention Bill, HB 1001, which put more teeth into penalties after the first offense. Possession of "tools of the trade" such as shaved keys is also punishable under this law. For juveniles, the courts are given more choices on penalties so that we can encourage young people to stay away from this and other crimes.



## DUI protocol

This year I sponsored House Bill 1340 which would create uniform standards for alcohol and drug assessments for people charged with driving under the influence (DUI). The bill received positive media coverage and strong bipartisan support but failed to receive a vote in the House.



This legislation would not just track offenders and make sure they're following the rules, but would also clean up the out-of-control system. In one case a treatment provider was doing drugs with the offenders he was "treating." We must ensure such egregious abuses of the system are prevented before they occur.

People would be surprised to learn that drug and alcohol testing does not always take place when a person convicted of DUI checks in with their probation officer. Drug testing should be used as an objective tool to effectively evaluate those arrested for DUI. Drug offenders do not always tell an accurate history of their drug and alcohol usage because repeat DUI offenders are often in denial that they have a problem.

We need to put the protection of innocent community members before the rights

of criminals who are supposed to follow the rules of their parole. House Bill 1340 would have allowed for accurate assessments of DUI convicts and keep repeat offenders off our streets.

## Tackling gang-related crimes, gang activity

More and more rural areas are experiencing growing gang activities and the crimes that go along with rival gangs. Our current laws need to be updated to address tagging and repeat violent offenders that run with gangs. This year, I worked hard to pass legislation to take meaningful steps to better protect families from gang-related crimes.

Senate Bill 5987 directs the Washington Association of Sheriffs and Police Chiefs to establish a work group of community and law enforcement stakeholders to evaluate gang-related crime in Washington, create a statewide gang database, and make recommendations to the Legislature by Jan. 1, 2008.

Addressing gangs and the related crimes is a statewide issue that has become so serious that cities and counties are adopting their own ordinances to toughen penalties for gang-related crimes. I am confident this will be a priority issue next session.

## Budget hits and misses

### • Gain sharing repealed

The repeal of gain sharing as part of one state employee retirement plan in this year's budget was a misguided way to find more money to spend on other state programs. I opposed the repeal of gain sharing and felt the agreement the state made with its employees should have been honored. I voted against the bill because I do not believe budget writers should balance the budget at the expense of those utilizing the state pension system, particularly when the last two budgets have increased spending by record levels.



### • Pension liability left unpaid

Despite the record surplus, the state's \$5.7 billion unfunded pension liability remained unaddressed.



# 2007 Legislative Review

I am committed to protecting taxpayers and will continue to advocate that budget writers keep state spending within its means by adopting sustainable budgets. But, falling short on votes to stop the budget this year, it passed without paying down this growing debt.

## • **Rainy-day fund headed to voters**

I strongly supported legislation creating a constitutionally secured rainy-day account. Protecting taxpayer dollars from over spending is a great step. The only concern I had with the account is that we didn't save enough. I strongly agree vital programs must be funded, but with the large surplus budget writers could have shored up state programs, saved more and returned a portion to taxpayers to help offset rising property taxes.

## **39th District receives funds for community projects**

This year's Capital Budget included more than \$18 million for much-needed for infrastructure and capital improvement projects around our district.

Among the many projects included in the budget are: The Monroe Rotary Miracle League Field, which will give disabled youth from around our state a meaningful opportunity to participate in sporting activities; The City of Skykomish environmental cleanup which will help revitalize that historic city and remove soils contaminated by fuel oil, protect residents' health; and the health of our waterways; the Darrington Water System Project, which will help ensure an adequate supply of clean drinking water to residents who rely on the town's water system; and, the Granite Falls Museum.

The Skagit Valley Recreation and Events center received \$1 million, while not in the district, this center will benefit our local area by bringing in attractions that generate local revenue.

I will continue working to ensure that tax dollars from the 39th District come back in the form of infrastructure and community enhancements.

## **Education made some strides**



Thank you to all the public school employees, superintendents, school board members, teachers, parents and students who visited me in Olympia this session. I truly appreciate visiting with everyone and hearing your solutions to preparing our kids for the jobs of the future.

Of the many important education bills that passed this year, Senate Bill 5955 will start to move our education system forward – from early learning to college. This measure creates steering and advisory committees that will conduct a comprehensive study of early learning, K-12 and higher education. It will also develop recommendations on how the state can best provide stable funding for all areas of our education system, including how to better prepare and compensate our teachers.

Locally, this year's Capital Budget included \$24 million for the Skagit Valley Vocational Skills Center. This institution will help us train and prepare our students for the workforce.

## • **Higher Education expands to our area**

The 2007 Legislature directed the University of Washington (UW) to recommend sites and develop an academic plan for a new UW campus in North Puget Sound. Site recommendations and a preliminary implementation plan are due to the governor and the Legislature by November 15, 2007. The final plan is due June 2008.

There are two overarching goals for a new UW campus in North Puget Sound: to serve the needs of area residents by offering a comprehensive array of degree options; and to advance the economic development and global competitiveness of the state by focusing on science, technology, engineering and mathematics (STEM) degrees. The new UW campus will offer a

comprehensive array of programs to serve the interests of students and employers in the North Sound region while also developing areas of specialization to complement other four year institutions in the state.

Our area of the state has been in need of an additional four-year institution. The new campus will allow for more kids to go to college close to home, making it a more affordable option for many families.

## **Protecting property, pristine rivers can be done together**

Having pristine rivers is important part of our conservation heritage in Washington. However, when our rivers flood private land, the debris and septic material is not doing anything to make our environment better. We must find solutions that protect land and structures at the same level we protect fish and our scenic rivers.



The flooding last year, and previous years, that destroyed so many homes and devastated families is the reason I have introduced legislation again this year. House Bill 1339, which would require the Department of Fish and Wildlife (DFW) to assist land owners with options to keep the flood waters down and provide environmentally friendly solutions that minimize damage from over-flowing rivers.

Once again, residents in the 39th District didn't get any help from the Legislature to



*Rep. Kirk Pearson poses for a group photo with Public School Employees after their meeting on education issues before the 2007 Legislature.*

protect their cherished homes and land. The hypocrisy is that DFW was able to secure funding to protect their land and structures on the Toutle River.

I will continue to work on solutions for our flood-prone areas and press for policies that make it clear and easy for families to protect their property.

## Streamlined Sales Tax change creating confusion

With the passage of Senate Bill 5089, Washington will change the way sales tax is collected and where the revenue goes. Under current law, sales taxes are based on the rate at the point-of-sale, or the business where the item is purchased. The sales tax revenue generated from the purchase remains with the city and county where the business is located.

However, beginning July 1, 2008, some tax revenue will go to the destination of the purchased item. For example: If a person buys a sofa in Arlington and has it delivered to their home in Kent, then Kent would receive the sales tax revenue. This change will affect almost all goods that are delivered unless the delivery is made in the same tax jurisdiction it is purchased.

I could not support this legislation. This change is creating a lot of confusion and administrative work, particularly for smaller businesses that send specialty, low-cost items to destinations statewide.

Businesses that need more information on Streamlined Sales Tax or want to know if their business is affected by this change should call DOR at 1-800-647-7706 or visit their website at [www.dor.wa.gov](http://www.dor.wa.gov).

## Other bills of interest

House Bill 1909, amending the state's specialty forestry products statute, passed this year. A specialized forest product (SFP) includes items such as native shrubs, cedar products, specialty wood, edible mushrooms, huckleberries and certain barks. A permit is required to harvest any of these products. If a person is accused of possessing the products without a permit, HB 1909 allows for a defense if the products were harvested on the defendant's private property. This legislation takes effect July 22.

House Bill 1566 extends the B&O tax credit for creating jobs regardless of whether the position is full time or part time.

House Bill 1516 would have allowed a B&O tax exemption for new businesses during the first 12 months of operation. Unfortunately, this bill didn't pass.



*Medal of Valor award winners from Arlington, Timothy Bourasaw and Rick Bowers, joined the Legislature and governor on the House floor for the award ceremony dedicated to honoring their bravery in the face of danger. This is the second year the Medal of Valor has been given – both years' awards have included recipients from the 39th District.*

## Do you qualify for the state's discount prescription drug program?

Washington has a new program that can save individuals 20-60 percent on the cost of prescription medications. More than 16,000 people have signed up for the program already!

To find out if you qualify for reduced-cost prescriptions, visit <http://www.rx.wa.gov/> or call the Washington Health Care Authority toll-free at 1-800-913-4146.

## Comments:

---

---

---

---

---

---

---

---

**Legislative  
Review  
2007**

**Kirk Pearson**  
State Representative  
P.O. Box 40600  
Olympia, WA 98504-0600

PRSR STD  
US POSTAGE PAID  
WA STATE DEPT  
OF PRINTING 98501